

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, April 20, 2020

Mayor Schmidt called the meeting to order at 7:07PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, Mallika Magner, Laura Mitchell, and Mona Merrill

Staff Present: Town Attorneys Barbara Green and John Sullivan, Town Manager Dara MacDonald, Public Works Director Shea Earley, Finance Director Rob Zillioux, and Town Clerk Lynelle Stanford

Community Development Director Michael Yerman and Parks and Recreation Director Janna Hansen (for part of the meeting)

Everyone connected and participated in the meeting via Zoom.

APPROVAL OF AGENDA

Schmidt believed the Council would talk about the Governor's announcements. He preferred the Council discuss under the Updated Financial Forecast.

Dujardin moved and Mitchell seconded a motion to approve the agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

CONSENT AGENDA

1) March 30, 2020 Special Town Council Meeting Minutes.

2) April 6, 2020 Regular Town Council Meeting Minutes.

3) Resolution No. 12, Series 2020 - A Resolution of the Crested Butte Town Council Authorizing the Town Manager to Sign an Intergovernmental Agreement with the Gunnison County Weed District Regarding Undesirable Plant Management.

Haver moved and Bradley seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

PUBLIC COMMENT

Tina Kempin - 10 Crystal Road in Mt. Crested Butte

- She thanked the Council for their public service.
- She spoke regarding the CBFPD District election on May 5th, in which she was running for the CBFPD Board of Directors.

- She reported upon her background and experiences.
- She mentioned thoughts she had pertaining to the CBFPD.

Kent Cowherd - 901 Teocalli Ave

- He recognized and thanked the Town for initiating the BOZAR process again.
- He noticed the CB Area Plan was not on a future agenda, and he recommended it be an agenda item.
- He encouraged discussion and a plan for the InDEED program.

STAFF UPDATES

- MacDonald asked the Council their thoughts on the full-page ad in the newspaper. It was hard to know the efficacy and how useful it was. Mark Reaman told Schmidt that he thought the information was relevant. Dujardin encouraged that the ad be half of a page if it could be just as efficient. Haver concurred half of a page was fine. Cowherd agreed the ad could easily be half of a page with strictly critical information. It was determined that Staff would shoot for half of a page.
- MacDonald explained the proposed schedule for the May 18th meeting, which would be the big meeting on the annexation. Council would need to meet and then reconvene as the Planning Commission, second. Staff recommended starting the regular meeting at 6PM. No one voiced opposition.
- Schmidt acknowledged Bob Nevins would be retiring. MacDonald outlined the on boarding of the Community Development Director, which would be completed before hiring for Nevins' position. Magner appreciated Nevins' service. Schmidt appreciated his insights.
- Schmidt noted that Town Clean-up was scheduled for May 16th.
- MacDonald pointed out the Wine House's surrendered liquor license was unrelated to COVID.
- Cowherd questioned the time prediction for the opening of the Rec Path. Hansen reported it was weather dependent.
- Cowherd asked about the businesses involved in purchasing at the Bywater project. Yerman said there would be two homeowners in that duplex.
- Schmidt noticed the Marshals would be wearing body cams.

OLD BUSINESS

1) Updated Financial Forecast and Discussion.

Zillioux stated projections would depend upon when things would ease up. He estimated \$1.3M to be the minimum amount revenue would be down, but it probably would be closer to \$2M. Staff implemented expense management steps proposed in the past meeting. Town was solid due to reserves. Zillioux reviewed the community grant requests and pointed out the budget to community grants had not been reduced. The committee recommended they only distribute funds when the program, event, or services would be confirmed to be happening. Zillioux conveyed that recipients were really grateful.

Mitchell moved and Dujardin seconded a motion to approve the spring community grant recommendations amounting to \$27,500. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

Zillioux announced it would be great to have a community “buy local” campaign. Town would seek contractors or services locally to circulate funds in the valley. Magner thought it would be a great policy regardless. Zillioux reviewed that aspect of the purchasing policy. Staff would discuss further and come back. Zillioux identified Staff would delay non-essential expenses of any type. Town would not begin any new affordable housing or CAP projects until the economics stabilized. When conditions normalized, the Council would revisit delayed expenses.

There was a discussion on reimbursements to the Town and the County. Dujardin wanted to make plans on how Town would fill gaps. Merrill agreed it would be nice to find money to help. She was open to having a sub-committee to discuss. Haver reported they were waiting to hear if there would be more SBA money in the pipeline. Dujardin predicted a crisis on Elk Avenue itself. He proposed ideas for assistance. Haver recommended they look at the best, big-picture opportunities. MacDonald told the Council they could convene a sub-committee to meet. Merrill volunteered to assist on the sub-committee. Bradley also volunteered. They would come together with options for the whole Council to consider.

Schmidt brought forth the update from the Governor. The County EOC would be considering it. Schmidt expected changes to the health rules in the County. MacDonald recommended they stay tuned as more information became available. She acknowledged it was progress. MacDonald agreed with Dujardin it was cautionary and hard to know what 65% social distancing looked like. Haver referred to an email that Joni Reynolds sent. Reynolds was continuing to work on the next health orders and would work with the economic task force. Schmidt summarized the Council would wait and see what the County would say. Dujardin suggested meeting once per week regarding recovery. Schmidt affirmed there should be a special meeting next Monday to talk about COVID information and recovery.

Haver moved and Dujardin seconded a motion to have a special meeting next Monday at 6:30. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

PUBLIC HEARING

1) Ordinance No. 11, Series 2020 - An Ordinance of the Town Council of the Town of Crested Butte Authorizing a Potable Water Service Agreement for Lot 8, Trapper’s Crossing at Crested Butte, Gunnison County, Colorado.

Schmidt read the title of the ordinance. He confirmed proper public notice had been given. Schmidt asked for comments from the public. No one chose to comment. There was no further Council discussion.

Haver moved and Mitchell seconded a motion to approve Ordinance No. 11, Series 2020. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

2) Ordinance No. 12, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Sale of Town-Owned Property Legally Described as Unit 1, Red Lady Estates Condominiums, Town of Crested Butte, County of Gunnison, State of Colorado to Brian and Maria Fenerty for the Sale Price of \$20,000.00.

Schmidt read the title of the ordinance. He confirmed proper public notice had been given. He opened the public hearing. No one from the public commented, and the public hearing was closed.

Yerman thanked the Council. He was glad to end on an affordable housing ordinance. Council members thanked Yerman. Dujardin congratulated the Fenertys.

Mitchell moved and Dujardin seconded a motion to approve Ordinance No. 12, Series 2020. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

NEW BUSINESS

1) Resolution No. 13, Series 2020 - A Resolution of the Crested Butte Town Council Authorizing an Intergovernmental Agreement with Crested Butte Fire Protection District and Designating CBFPD as the Town’s Emergency Response Authority for Hazardous Incidents.

Schmidt read the title of the resolution. MacDonald acknowledged Sean Caffrey was on the line. She stated it was time to update the agreement. The original was from 1982. She emphasized the agreement was not arising out of any non-function. She pointed out sections that were highlighted in the staff report, such as that the IGA designated CBFPD as the hazardous substance incident entity in the Town, and it affirmed roles in mutual aid. The IGA designated CBFPD to provide Fire and EMS services in Town. Caffrey recognized they were not able to settle on the Fire Code in this version, and he elaborated in response to questions.

Mitchell moved and Dujardin seconded a motion to approve Resolution No. 13, Series 2020. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

LEGAL MATTERS

Green identified that both Sullivan and she would continue to attend the meetings.

Green reported the Town was under a compliance schedule with a zinc issue at the wastewater treatment plant that would require upgrades to the wastewater treatment plant. The Town discovered the zinc limit imposed was based on a small data set. There would be no problem if a different sampling point had been used. The Water Quality Control Division wanted to use that particular data source because it was closer to the discharge

point. The attorneys would file a request for an adjudicatory hearing with the Division. In the meantime, Town would need to work on deliverables for the compliance schedule. Earley explained that Town retained the services of JVA, who was in the process of determining what the Town would need to do. Schmidt asked about upgrades that were already done and whether the zinc requirements were expected at that time.

COUNCIL REPORTS AND COMMITTEE UPDATES

Mallika Magner

- The Valley Housing Fund had a four-hour meeting and another one scheduled for next week. She would update after the meeting next week.
- She would have The Chamber Board meeting tomorrow morning.

Laura Mitchell

- She asked for feedback and input. It was suggested that if the busses were not running, the Town would discontinue remitting the money to Mountain Express. The idea did not go over at all. Zillioux clarified the thought process and question were whether Town could not fund Mountain Express when they were not running to limit eating into Town's reserves. MacDonald elaborated that it was presented at the last meeting as a point for discussion to encourage Mountain Express to look at their operations. Staff had been asked to explore all options, and it was one of them. She further elaborated that they were suggesting the Mountain Express Board discuss. Bradley said they were talking about the legality of the issue. Schmidt recalled it was specific how the tax funds could be used. Haver apologized it was taken in a bad manner. MacDonald stated they were interested in whether Mountain Express was interested in pursuing the idea. Bradley confirmed they were not interested in pursuing as an option. The discussion became detailed around the Town's intentions and potential funding for Mountain Express. Schmidt reiterated that when passed, the money was specific to transportation.
- Magner identified the Town of Crested Butte was tightening financially.

Mona Merrill

- The STOR Committee would be meeting.

Will Dujardin

- He was emailing almost daily with meeting notes.
- Magner was getting busy with business and asked to step off the 8:30 and 2:30 meetings. He asked if anyone wanted to help to fill in. Haver was happy to remain a back-up. Merrill and Mitchell said they would fill in, too. Haver appreciated Dujardin's notes. Magner was aware of business owners that wanted to participate in working on recovery. Haver and Dujardin made suggestions regarding participation.

Laura Mitchell

- RTA ridership was low.

- RTA was supporting United in not having a direct flight this summer from Houston.
- They hoped to resume the Houston flight for the ski season.
- RTA bought and closed on the building they were currently occupying.
- RTA closed on the third lot in the Whetstone Industrial Park.
- Schmidt added that RTA did not have to commit \$250,000 a year to the airport.

Chris Haver

- Reported on the Housing Fund.
 - There had been a \$10,000 donation to help with rent assistance.
 - There was a possible program, in conjunction with the Housing Fund that would help to protect mortgages on deed-restricted properties from going into foreclosure.
 - They worked on grievance policies.
 - They sent out letters to deed-restricted property owners on what could help them keep their properties.
- Not many businesses received PPP money. Banks were holding queues of more applications.

Candice Bradley

- There was thought of a pedestrian Elk Avenue that would be beneficial to the public. She proposed an idea for outdoor sales or a broader outdoor seating area. Magner said it sounded intriguing. Bradley liked the open Elk concept. MacDonald said discussion could be added to the agenda for next Monday. Schmidt added that they needed to leave a lane for Mountain Express.
- Regarding TAPP, the current marketing efforts were restricted to non-resident homeowner outreach. The anticipation was that the economy would be slow and would recover when people could return to the valley.
 - They were running their Catapult program, launching Campfire Ranch, and working with Hustle Bikes to get business moving.
 - She listened to the NFIB meeting. The main complaint was that people were not getting loans and/or grants.

Jim Schmidt

- Went to a Housing Authority meeting.
- He requested they make it clear exactly who the residents were and what would cause them to get a grievance against them. They needed more clarity.
- The municipal subgroup of the EOC, discussed whether towns and counties would want to reduce permits and fees for construction.
- Schmidt referred to the letter he emailed. Haver provided suggestions for edits. Schmidt invited someone to write the next letter. He asked whether the Council agreed with sending the letter with some revisions. Magner asked to remove the bit about Trump. Schmidt hated to take it out but he would. Haver agreed with Magner. Schmidt would remove it.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Dujardin stated community members had stepped up, and he wanted to push the button on citizenship recognitions. Secondly, he suggested switching up messaging in the full-page newspaper ad before taking out the full-page ad. Magner liked the idea of planning something for community appreciation. MacDonald affirmed Staff had talked about the Town Picnic and could add an element of recognizing individuals and efforts.

Schmidt thanked Bob Nevins and Michael Yerman, and he expressed appreciation for both of them.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, May 4, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, May 18, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, June 1, 2020 - 6:00PM Work Session - 7:00PM Regular Council

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 9:32PM.

James A. Schmidt, Mayor

Lynelle Stanford, Town Clerk (SEAL)